

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re: Bernadette Allen-Griffin,
a/k/a Bernadette Allen,
a/k/a Bernadette Griffen,

Case No. 19-55688-mar
Chapter 13
Hon. Mark A. Randon

Debtor.

**CREDITOR'S RESPONSE TO DEBTOR'S OBJECTION TO CHAPTER 13
PROOF OF CLAIM NO. 6 OF PLANET HOME LENDING, LLC**

Secured Creditor, Planet Home Lending, LLC, by and through its undersigned attorneys, submits the following response opposing Debtor's Objection to Proof of Claim No. 6 of Planet Home Lending, LLC, filed on January 2, 2020:

1. Admits.
2. Admits.
3. Admits.
4. Denies; further states that the Proof of Claim filed on behalf of Creditor properly reflects the status of the account as of the petition date of November 5, 2019. As of November 5, 2019, Debtor had not made the November 1, 2019, payment. As a result, Creditor was required to report the November payment as unpaid. Debtor's objection fails to state when the payment due on November 1, 2019,

was paid – according to Creditor’s records, Debtor’s last pre-petition payment was made on October 9, 2019, and was applied to the payment due on October 1, 2019. Debtor’s next payment was made on November 18, 2019, which is **post-petition**. (Exhibit A). As a result, Debtor’s objection is frivolous and wholly without merit. Further, Debtor’s objection fails to properly identify any inaccuracy with the filed Proof of Claim.

THEREFORE, Creditor, Planet Home Lending, LLC, respectfully requests that this Honorable Court enter its Order:

- a. Denying Debtor’s objection in its entirety; and,
- b. Allowing Creditor’s claim in its entirety; and,
- c. Awarding such other and further relief in favor of Creditor as the Court deems appropriate under the facts and circumstances of this case.

Respectfully Submitted,

Dated: January 17, 2020

/s/ Cheryl D. Cook
Potestivo & Associates, P.C.
By: Cheryl D. Cook (P52128)
Attorney for Planet Home Lending, LLC
251 Diversion Street
Rochester, MI 48307
(248) 853-4400
ccook@potestivolaw.com

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PROOF OF SERVICE

I, Catherine Scanlan, state that on the 17th day of January, 2020, I served a copy of the Response to Debtors' Objection to Proof of Claim of Planet Home Lending, LLC (Claim #6) filed by Planet Home Lending, LLC and Proof of Service upon:

Bernadette Allen-Griffin
22432 Schroeder Ave.
Eastpointe, MI 48021

Robert W. Bishop
Attorney for Debtor
24405 Gratiot Ave.
Eastpointe, MI 48021

Krispen S. Carroll
719 Griswold
Suite 1100
Detroit, MI 48226

By placing same in a well sealed envelope, by first class mail, with the proper prepaid postage thereon and depositing same in a United States Mail receptacle in the City of Rochester, State of Michigan to the Debtor and via CM-ECF electronic filing to Debtor's Attorney and the Chapter 13 Trustee.

/s/ Catherine Scanlan

Catherine Scanlan
Employee of Potestivo & Associates, P.C.
251 Diversion Street
Rochester, MI 48307
(248) 853-4400
cscanlan@potestivolaw.com

EXHIBIT A

REQ BY DFT CUSTOMER ACCOUNT ACTIVITY STATEMENT DATE 11/20/19
PAGE 1

BERNADETTE ALLEN
22432 SCHROEDER AVENUE
EASTPOINTE MI 48021

IF YOU HAVE ANY QUESTIONS OR REQUIRE FURTHER
ASSISTANCE, PLEASE CONTACT CUSTOMER SERVICE
AT 1-866-882-8187, MONDAY THROUGH FRIDAY,
8:30 AM TO 9:00 PM ET.

LOAN NUMBER: Redacted

IF YOU HAVE ANY QUESTIONS OR REQUIRE FURTHER
ASSISTANCE, PLEASE CONTACT CUSTOMER SERVICE
AT 1-866-882-8187, MONDAY THROUGH FRIDAY,
8:30 AM TO 9:00 PM ET.

CURRENT ACCOUNT INFORMATION						
DATE PAYMENT DUE	TOTAL PAYMENT AMOUNT	PRINCIPAL & INTEREST PAYMENT	LOAN INTEREST RATE	CURRENT PRINCIPAL BALANCE	ESCROW BALANCE	
12-01-19 2ND MORTGAGE:	679.82	408.06	4.12500 0.00 0.00000	81,691.03 0.00	762.88	

ACTIVITY FOR PERIOD 02/01/18 - 11/19/19

PROCESS DATE	DUE DATE	TRANSACTION CODE	TRANSACTION DESCRIPTION	EFFECTIVE DATE OF TRANSACTION
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TRANSACTION AMOUNT	PRIN. PAID/ BALANCE	INTEREST	ESCROW PAID/ BALANCE	OTHER AMOUNT	CODE/DESCRIPTION
11-19-19 11-19 173 PAYMENT 0.00 126.81 281.25 281.83 689.89- 81,691.03 762.88 NEW PRINCIPAL/ESCROW BALANCES					11-18-19
11-18-19 11-19 173 PAYMENT 689.89 0.00 0.00 0.00 689.89					
11-04-19 03-20 310 MORTGAGE INSURANCE DISBURSEMENT 53.77- 0.00 0.00 53.77- 481.05 NEW PRINCIPAL/ESCROW BALANCES					
10-09-19 10-19 172 PAYMENT 689.89 126.38 281.68 281.83 81,817.84 534.82 NEW PRINCIPAL/ESCROW BALANCES					
10-02-19 03-20 310 MORTGAGE INSURANCE DISBURSEMENT 53.77- 0.00 0.00 53.77- 252.99 NEW PRINCIPAL/ESCROW BALANCES					
09-19-19 09-19 173 PAYMENT 689.89 125.94 282.12 281.83 81,944.22 306.76 NEW PRINCIPAL/ESCROW BALANCES					
09-04-19 03-20 310 MORTGAGE INSURANCE DISBURSEMENT 53.77- 0.00 0.00 53.77- 24.93 NEW PRINCIPAL/ESCROW BALANCES					
08-15-19 09-19 351 HOMEOWNERS INS 1,092.00- 0.00 0.00 1092.00- 78.70 NEW PRINCIPAL/ESCROW BALANCES					